

**Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting Minutes
Wednesday, January 20, 2010**

Town Plan Commission (TPC) Members Present: Ted Pallas; Chair, Charles Brummer; Vice-Chair, Larry Whalen, Greg Thury, Suellen Soucek, Carey Baxter (6)

Town Plan Commission Members Absent: Ron Madich (1)

Public Present: Paul Brummer (1)

Town Staff Members Present: Jennifer Croonborg; ZA, Margaretta Kusch; ZCA (2)

I. Call to Order/Roll Call

Chair Pallas called the meeting to order at 5:00 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

None.

III. Approval of Previous Meeting Minutes:

a. Town Plan Commission Special Monthly Meeting, January 6, 2010

- On page 3, change “*definitions*” to “*dwellings*.”

G. Thury moves to approve the Town Plan Commission Special Monthly Meeting of January 6, 2010 minutes as amended. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

b. Town Plan Commission Workshop, January 14, 2010

- On page 3, add “*Travel Trailers stored and not used for habitation on the site*” to list of minor structures allowed without a permit.
- On page 3, add “*requirements required of the principal building in the district*” to changed text for 4.2.6 Accessory Uses and Structures. The changed sentence should read “*All other accessory structures shall also conform to the setback requirements required of the principal building in the district within which it is located.*”
- On page 2, change “*Section 3.0*” to “*Section 3*” for consistency.

G. Thury moves to approve the Town Plan Commission Workshop minutes of January 14, 2010 as amended. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

IV. Zoning Administrator’s Report

Report is on file. Letter was received regarding a lawsuit that has been filed against the town regarding the decision of the Town Board acting as the Zoning Board of Appeals in the Craftivity Conditional Use Permit. A few Land Use Permits have been recently received.

V. Consideration and/or Action of Permit Applications:

None.

G. Thury moves to move agenda item VII a. New Business to immediately before item VI, being Old Business. L. Whalen seconds. All in favor, 6 aye. Motion Carries.

VI. Old Business

1. Zoning Ordinance Revision Project

- a. Review and Possibly Revise working draft of tentative Ordinance Revision, Section 1.0 through Section 14.0

Section 5.0 Signs

- In 5.1.1, Permit Required, delete final sentence *“All signs exceeding four square feet in area shall be subject to review and approval by the Town Plan Commission in accordance with provisions of this Ordinance.”*
- In 5.1.3, Prohibited Characteristics of Signs, change item F *“F. No sign shall be located in a lot so as to reduce the required rear and side yard requirements of the district in which it is located. The front yard setback for a sign located on a lot shall be a minimum of twelve (12) feet from the edge of the right of way”* to read *“F. No sign shall be located in a lot so as to reduce the required side yard setbacks of the district in which it is located. The front and rear yard setback for a sign located on a lot may be placed at but not in the road right of way of a street or highway provided that it doesn’t interfere with the passage of vehicles, pedestrians, or traffic control signs.”*
- In 5.2 B, Type 2 [Class C Signs], change *“Signs or bulletin boards for public, charitable, or religious institutions”* to read *“Signs or bulletin boards for public, charitable, home business, home occupation, or religious institutions.”*
- In 5.2 D, Type 4 [Class C Signs], change *“Such signs shall not exceed twenty (20) square feet in area and no more than one such sign for each highway (street) upon which the property faces shall be prohibited”* to read *“Such signs shall not exceed a total accumulated area of twenty (20) square feet in area.”*
- In 5.2.2, Class D Signs, delete *“shall be prohibited”* from the end of the sentence *“Signs or billboards that advertise a general brand of product shall be prohibited,”* as it is superfluous.
- In 5.3 Classes and Type of Signs Permitted on Zoning Districts, add the new districts to Class C Signs, to read as follows:
 - Type 1: W-1, W-2, S-1, S-2, C-1, R-1, R-2, R-3, G-I, P-R, C-V, T-P, M
 - Type 2: W-1, W-2, S-1, C-1, C-V, G-I, L-Z
 - Type 3: C-1, L-Z, M
 - Type 4: W-1, W-2, S-1, C-1, T-P, P-R, L-Z
- In 5.4 Non-Conformance, add *“or amendment”* in first sentence after *“enactment,”* *“Signs lawfully existing before the date of enactment of this Ordinance may be continued although the use, size, or location does not conform to the provision of this Ordinance.”* to read *“Signs lawfully existing before the date of enactment or amendment of this Ordinance may be continued although the use, size, or location does not conform to the provision of this Ordinance.”*
- In 5.4 Non-Conformance, delete the second paragraph: *“However, permits shall be obtained for all signs erected before such date, and such signs shall be deemed a non-conforming use or structure, and the provision of Section 5 shall apply. All non-conforming signs, of all types not exempted by the definition thereof, shall be removed and made to conform to the provisions of this Ordinance within a period of two (2) years after the adoption of this Ordinance and the mailing of a*

notice by the Zoning Administrator instructing such removal” and replace with “However, permits shall be obtained and district requirements met if the use, size, or location changes.”

Section 6.0 Regulation of Special Uses

- In 6.1 e., Travel Trailer Parks and Campgrounds, add bullet points before each item, for clarity.
- In 6.2 B, Rental of Principal Single Family Dwellings, change “*Section 4.4(2)*” to read, “*Section 4.3*” and also change “*Section 7.0*” to read “*Section 15.*”
- In 6.4 B, Home Occupation Enterprise, item 6, change “*four (4)*” to “*twelve (12)*” so that sentence reads “*Only one on-premises advertising sign, not illuminated and not to exceed twelve (12) square feet in area, shall be permitted.*”
- In 6.4.C, Home Business, item 5., delete the second sentence “*The sign may be located in the lot setback provided it does not interfere with the passage of vehicles or pedestrians.*”
- Change title of 6.5 from “*Adult-Oriented Entertainment Businesses*” to “*Sexually-Oriented Businesses.*”
- In 6.5 B, Zoning District Limitations, replace “*Commercial Zoning District*” with “*C-1 District.*”

b. Section 6.0 Regulation of Special Uses: discuss possible addition of regulations regarding employee housing

J. Croonborg, ZA presents the Town Plan Commission with background information and discussions that past Town Plan Commissions had prepared. The Town Plan Commission discusses whether employee housing should be treated the same as a residential use, with language in the Ordinance discussing conditions (such as nuisances, lighting, etc) or should it be a conditional use, dealt with on a case-by-case basis, as it’s more a boarding house/rooming house than a residential dwelling.

Chair Pallas thinks it has to be a conditional use, but it would be a permitted use in the commercial district, (although a unit housing more than four people would need a Conditional Use Permit). He further states that there has to be an occupancy limit. C. Brummer suggests mirroring the regulations in place for multiple-family dwellings and have a maximum of four residents. C. Baxter expresses concern that the creation of employee housing not be limited or hindered, as housing is an ongoing concern on the island. J. Croonborg, ZA is also concerned that substandard housing not be built.

Chair Pallas states that employee housing would be a permitted use in the commercial zone, but with conditions, a list of which the Town Plan Commission will have to come up with. A draft of language regarding employee housing will be put together and the Town Plan Commission will return to the issue at later meetings.

c. Section 4.0 General Provisions: discuss possible addition of regulations regarding erosion control

Not discussed.

2. Review and possibly revise Official Zoning Map RE: Comprehensive Plan Future Land Use Map

Not discussed.

VII. New Business

A. Letter received January 6, 2010 regarding rental permits at Sarah Norton property at 386 Bojo Lane.

Chair Pallas read the letter a few times, thinks that they have no grounds for their complaint. J. Croonborg, ZA states that the property owners were given a letter on August 10, 2009 informing them of the Town Plan Commission's decision to uphold the decision of the Zoning Administrator regarding their conditional approval of their rental permit. The Nortons did come in to speak to the Zoning Administrator within thirty days of receipt of said letter. They were given an appeal application but did not submit it. It is required that the appeal process the Town affords be exhausted prior to any legal action. Because an appeal was not filed they have no grounds for legal action regarding Zoning. Issues in the letter regarding Town accommodation tax are a matter that would be brought to the Town Board.

Chair Pallas moves to move back up to item one under Old Business. C. Baxter seconds. All in favor, 6 aye. Motion Carries.

VIII. Future Agenda Items

IX. Schedule of Next Meeting

Next TPC Special Monthly Meeting to be held Wednesday, February 3, 2010, at 5 pm.

X. Adjournment

C. Baxter moves to adjourn. C. Brummer seconds. All in favor, 6 aye. Motion Carries. Meeting ends at 7:00 pm.

Draft Town Plan Commission Minutes respectfully submitted by Margaretta Kusch, ZCA, Thursday, January 21, 2010.

2nd Draft Town Plan Commission Minutes respectfully submitted by Margaretta Kusch; ZCA, Thursday, February 4, 2010.

Town Plan Commission Minutes approved as amended by Margaretta Kusch; ZCA, Wednesday, February 10, 2010.